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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,302	03/21/2001	Darrel D. Cherry	10005030-1	4822

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/814,302

Applicant(s)

CHERRY ET AL.

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 13-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 21 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. On line 4 of claim 16 states, "wherein the server includes a server agent". It is unclear whether wherein is pointing to the client or the system. Claim need to be amended to overcome this rejection. On lines 5 & 6 states "wherein: the logical printer is integrated with print functionality of the client computer and is configured to launch the client agent". Again it is unclear whether the logical printer is at the client or the server and is it the logical printer or the server that is configured to launch the client agent. This claim should to be re-written in such a way which clearly describes each and every element of the invention, along with a clear transitional language that describes each element's its relationship with other element(s).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 13-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Gecht et al (U.S. 6,859,832 B1) and Pagurek et al (U.S. 6,550,024 B1).

5. As per claims 13, 16 & 19 Gecht disclosed a system for distributing information, the system comprising a client computer in network communication with a server, wherein the client computer includes a logical printer, a client agent, and a processor operable to execute the logical printer and the client agent and wherein the server includes a server agent and a processor operable to execute the server agent (col.2, lines 66-67 & col.3, lines 1-26), wherein: the logical printer is Integrated with the print functionality of the client computer and is configured to launch the client agent and provide the client agent with a document (col.9, lines 12-25 & col.13, lines 6-20). However Gecht did not explicitly disclose the client agent is configured to connect to the server agent, to send the document to the server agent, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server agent; the server agent is configured to receive the document from the client agent, send the user interface to the client agent, receive the data entered through the user Interface from the client agent, and to send the document to a destination identified by the data.

In the same field of endeavor Pagurek disclosed the client agent is configured to connect to the server agent, to send the document to the server agent, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server agent; the server agent is

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configured to receive the document from the client agent, send the user interface to the client agent, receive the data entered through the user Interface from the client agent, and to send the document to a destination identified by the data. (Col.2, lines 5-41).

It would have obvious to on one the ordinary skill in the art at the time the invention was made at the time the invention was made to have incorporated receiving a user interface from the server as disclosed by Pagurek in a system for distributing information as disclosed by Gecht in order to facilitate information transfer between client and server make the distribution system more flexible, robust and user friendly from printing prospective.

6. As per claims 14, 17 & 20 Gecht-Pagurek disclosed the system of Claim 13, wherein the user interface enables the user to enter data identifying an e-mail address and wherein the client agent is operable to return the data identifying the e-mail address to the server so that the server can send the document via e-mail to the e-mail address (Gecht, col.2, lines 10-15).

7. As per claims 15 & 18 Gecht-Pagurek disclosed the system of Claim 13, wherein the logical printer includes a driver, a spooler, and a port monitor, wherein: the driver is operable to translate the document to a rendered format; the spooler is operable to send the document in the rendered format to the port monitor, and the port monitor is operable to launch the client agent (col.2, lines 65-6-67, col.3, lines 1-26, col.5, lines 66-67 & col.6,lines 1-5).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AB

Asghar Bilgrami  
Examiner  
Art Unit 2143



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